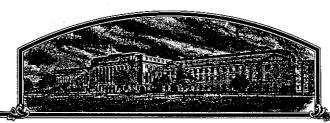
No.



8000084

# AHIE UNKLEED STEATHES OF ANTERICA

TO ALL TO WHOM THESE PRESENTS SHAME COME:

# Busch Agricultural Resources, Inc.

Taltereas, THERE HAS BEEN PRESENTED TO THE

### Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OF ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF Eighteen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC, REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT ETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS BY THE OWNER OF THE RIGHTS. (24 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BARLEY

'Bumper'

In Testimony Watercot, I have hereunto set my hand and caused the seal of the Plant Bariety Protection Office to be affixed at the City of Washington this 31st day of August in the year of our Lord one thousand nine hundred and eighty-four.

Secretary of Styriculture

Street Hillian Commissioner
Plant Variety Greection Office
Agricultural Marketing Service

	UNITED STATES DEPARTME AGRICULTURAL MARK LIVESTOCK, POULTRY, GRA	FORM APPROVED OMB NO. 40-R3822						
AP ins	PLICATION FOR PLANT VARIETRUCTIONS: See Reverse.			No certificate for pla be issued unless a co has been received (5 t	ant variety protection may empleted application form			
1a.	TEMPORARY DESIGNATION OF VARIETY	16. VARIETY NAM	E	FOR OFFICIAL USE ONLY				
NΔ	NPB-1 or N6SB1330-75B	Bumper		PV NUMBER	3000084			
2.	KIND NAME	3. GENUS AND SPE	CIES NAME	T				
Ba	rley	Hordeum vulg		4/3/80	1:45 A.M.			
4.	FAMILY NAME (BOTANICAL)	5. DATE OF DETER		FEE RECEIVED	DATE			
. Gr	ramineae	January 7, 1		\$ 500.00 \$ 250.00	<u>4/3/80</u> <u>7/26/84</u>			
BUS	NAME OF APPLICANT(S)  LH AGRICULTURAL RESOURCES, INC.	[ Code)	t and No. or R.F.D. No.,  Johnson-Dr. 01	VE BUSCH PLACE	8. TELEPHONE AREA CODE AND NUMBER 913-384-4940-KS			
× 1	rth American Plant Breeders	}	<del>ion, KS 66205</del>	63118	303-532-3721-C0*			
9. Pa	IF THE NAMED APPLICANT IS NOT A PEORGANIZATION: (Corporation, partnership	RSON, FORM OF ip, association, etc.)	10. IF INCORPORAT DATE OF INCOR Stamford, CT	ED, GIVE STATE AND PORATION	11. DATE OF INCOR- PORATION March 9, 1973			
12. 25 0	NAME AND MAILING ADDRESS OF APPL ALL PAPERS: Giles Dixon DR. NAPB, P.O. Box 29 Mission, KS 6620	955 ANDERSON	<del>K. L. Helne</del> r or	. Bruns <b>6 North Seco</b>				
13.	CHECK BOX BELOW FOR EACH ATTACH		-					
	3 13A. Exhibit A, Origin and Bree	ding History of the	Variety (See Section 5	2 of the Plant Variety	Protection Act.)			
	13B. Exhibit B, Novelty Statem	ent.						
	13C. Exhibit C, Objective Descri	iption of the Variety	(Request form from	Plant Variety Protecti	ion Office.)			
	13D. Exhibit D, Additional Desc	cription of the Variet	<b>y.</b>					
148.	DOES THE APPLICANT(S) SPECIFY THAT SEED? (See Section 83(a). (If "Yes," answe	SEED OF THIS VARI r 14B and 14C below.)		SIETY NAME ONLY AS	A CLASS OF CERTIFIED			
14b.	DOES THE APPLICANT(S) SPECIFY THAT LIMITED AS TO NUMBER OF GENERATION	THIS VARIETY BE	14c. IF "YES," TO 14I	B, HOW MANY GENERA	ATIONS OF PRODUC-			
	X YES NO		X FOUNDATION	X REGISTERED	X CERTIFIED			
15a.	DID THE APPLICANT(S) FILE FOR PROTE name of countries and dates.)	ECTION OF THIS VAP	HETY IN OTHER COU	TRIES? TYES	X NO (If "Yes," give			
15b,	HAVE RIGHTS BEEN GRANTED THIS VA and dates.)	RIETY IN OTHER CO	UNTRIES? YES	X NO (If "Yes,"	give name of countries			
	•							
				·				
16.	DOES THE APPLICANT(S) AGREE TO THE JOURNAL? X YES [	PUBLICATION OF H	IS/HER (THEIR) NAME	(S) AND ADDRESS IN	THE OFFICIAL			
17.	The applicant(s) declare(s) that a viable replenished upon request in accordance	sample of basic seed	of this variety will b	e furnished with the a	pplication and will be			
	The undersigned applicant(s) is (are) the variety is distinct, uniform, and stable a 42 of the Plant Variety Act.	e owner(s) of this sea	cually reproduced no	vel plant variety, and l	pelieve(s) that the provisions of Section			
	Applicant(s) is (are) informed that false	representation herei	n can jeopardize prot	edtion and result in pe	enalties.			
-	March 24 1980.		()	1/ican				
	(DATE)		A/Is	IGNATURE OF APPLIC	CANT)			
				· · · · · · · · · · · · · · · · · · ·				
FORM	(DATE) GR-470 (1-78)		(S	IGNATURE OF APPLIC	ANT)			

### ORIGIN AND BREEDING HISTORY

Pedigree: Selection from Larker F2 bulks

Date of Cross: Unknown, original cross made at North Dakota State University

and obtained by North American Plant Breeders

History: F2 bulks of Larker crosses were grown at Casselton, North Dakota in 1973. Single head selections were advanced to F3 head rows and grown at Casselton, North Dakota in 1974. A single selected head was grown as a F4 head row in winter increase (74-75) at Yuma, Arizona. The bulked seed from the F4 head row was entered in 1975 midwest yield trials as NESB1330-75. the summer of 1975, five single heads were selected from the F5 bulk and increased in California during the winter of 1975-76. On the basis of malting quality tests sub-family B was chosen and used as the pure seed and yield trial seed source in 1976. N6SB-1330-75 was yield tested at two midwestern locations in 1975. NESB-1330-75B (F2 derived - F5 head selection) was yield tested at three midwestern locations in 1976, 1977, 1978, and 1979. NSSB-1330-75B was also in University of Minnesota tests (3 sites) in 1977, 1978, and 1979; North Dakota State University tests (4 sites) in 1978 and 1979; and in the regional Mississippi Valley Barley nursery, in 1979. In these trials N6SB-1330-75B was given the experimental designation as NAPB-1. Purification was initiated in 1976 when 91 plant rows (F<sub>6</sub>) were grown in Colorado. From these 124 plants were selected and grown as plant rows (F7) in Colorado in 1977. Head selections have been made each year and are grown to constitute breeder seed. The original source of breeder seed came from bulked seed from the 1977 Colorado 124 plant rows. We consider Bumper to be stable and uniform with no off-type variants.

#### Exhibit B

### STATEMENT OF NOVELTY

Novelty is based on the unique combination of the following characters: 'Bumper' most closely resembles 'Glenn' (both have a combination of rough awns and long rachilla hairs). However, 'Bumper' can be easily distinguished by the following characteristics:

- 1. Bumper is 3 days later in heading than Glenn barley.
- 2. Bumper is 4 days later in maturity than Glenn barley.
- 3. Bumper has better resistance to spot blotch (<a href="Helminthosporium">Helminthosporium</a> sativa) than Glenn.
- 4. Bumper is 3 cm taller than Glenn barley.
- 5. Bumper has a more nodding head than Glenn.
- 6. Glenn has a higher degree of deciduous awns than Bumper.

Average Agronomic Performance of Bumper and Valley in Midwest Yield Trials (1976-79)

		×	с.	4.	4.	2	I	<del>ښ</del>	1	i	,	
Lodaina <u>2</u> /		79 (2)	5.6	5.0	7.0	5.0	1	6.4	5.0	6.2	5.8	
	odging $\overline{2}/$	<u>78</u> (3)	3.7	4.4	3.5	1.7	2.2	4.0	3.7	2.5	1	
	Ľ.	77 (3	1.2	5.6	3.0	0.7	1.0	1:	i i	;	;	
÷		$\frac{76}{1}$	1.0	1.5	;	į į	1 5	1	1	1	!	
٠		(6) X	91.6	90.1	88.8	89.7	ŧ	95.0	95.8	87.1	!	
ght	( m	(3)	89.4	87.4	86.0	88.7	1	97.0	83.0	88.6	86.0	
Height		(3)	83.8	88.9	86.4	86.4	81.3	88.9	96.5	86.4	Į.	
		77 (3)	101.6	99.0	94.0	94.0	96.5	99.1	99.1	86.4	t f	
		$\frac{X}{X}(7)$	61.2	60.4	57.8	;	1	59.8	!	57.3	! !	
	Score	<u>79</u> (3)	3.5	3.7	2.7	1	ŧ ſ	5.9	3.8	2.3	1.6	
Heading 1/		79 (1)	70.5	69.3	65.5	l 1	i i	67.3	. 1	64.0	64.0	
	Days	78(3)	99	26	54	53	52	55	54	53	3 1	
		77(3)	22	26	54	53	55	27	54	22	Į Į	
			Bumper	Valley	Larker	Beacon	Nordic	Bonanza	K1ondi ke	Morex	Glenn	

( ) = Station years data 1/ = Days= days from planting; Score: 1=very early; 5=late  $\overline{2}/$  = Lodging = 1 = good straw; 9 = poor straw

Average Agronomic Performance of Bumper and Valley in Midwest Yield Trials (1976-79)

Head <u>6/</u>	79 (2)	1.13.75 1.13.8 1.3.8 1.0.3	
Awn 5/	78 (1)	3.0 2.0 4.0 4.0 6.0	
Straw4/ Breakade		7.7.7.0 7.5.7.7.5 5.5.5	
$\frac{3}{1}$ Dec. Awns	79 (2)	33.22 1.22.0	
	<u>X</u> (5)	2.95 2.95 2.15 3.40 2.85 1.85	
Leaf Spot 2/	79 (2)	24.7.0 2.7.1 3.3.3.0 7.0 7.0 7.0 7.0 7.0 7.0	1=good; 5=poor)
	78 (3)	www.440000 0044wwra!	$\smile$
	$\overline{X}$ (6)	21.133.55	station years data Worth = total phenotypic appearance 1 = good; 9 = poor 1 = awns intact; 5 = awns lost 1 = good; 9 = poor 1 = smooth; 5 = rough 1 = erect; 5 = decumbent
Worth $1/$		646.19469 7467.00761	ation years data  rth = total phenotypic appear  = good; 9 = poor  = awns intact; 5 = awns lost  = good; 9 = poor  = smooth; 5 = rough  = erect; 5 = decumbent
	77 (3)	1.2 3.0 3.0 1.1 1.1	ion years data  h = total phenotypy good; 9 = poor awns intact; 5 = a good; 9 = poor smooth; 5 = rough erect; 5 = decumbe
		Bumper Valley Larker Beacon Nordic Bonanza Klondike Morex Glenn	Stat

# Agronomic Performance Data of Bumper and Valley in Trials from the University of Minnesota

			··· Yi	eld bu/a						
	•	77.	77	78	78	78	77	7 <u>8</u>	7 <u>9</u>	78 <u>-</u> 79
		SP	CK	SP	CK	MO	X	X	X	Х
Bumper		81.8	119.3	50.8	96.0	63.1	100.6	70.0	51.2	73.9
Valley		93.0	99.5	50.3	97.0	50.7	96.3	66.0	55 <b>.7</b>	72.7
Larker				46.5	81.1	58.8		64.4	44.4	54.4
Manker		85.1	100.0	70.1	95.1	73.4	97.6	79.5		88.6

	Heading		Height <u>1</u> /			Lodging %			% Plump			
	77	78	79	77	78	79	77	78	79	77	<u> 78</u>	79
Bumper	6/8	6/21	<del>6/</del> 10	72	87	89	• 37	<del>50</del>	41	64	70	63
Valley	6/7	6/20	6/9	77	89	95	49	57	43	56	60	56
Larker		6/18	6/8	<b>-</b>	79	89		70	53		68	57
Manker	6/5	6/18		77	82		40	47		63	76	. <del></del>

1/ Height - cm

SP = St. Paul CK = Crookston MO = Morris

EXHIBIT C

(Barley)

FORM GR-470-5 . (11-1-72)

# UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE GRAIN DIVISION

HYATTSVILLE, MARYLAND 20782

## OBJECTIVE DESCRIPTION OF VARIETY BARLEY (HORDEUM VULGARE)

INSTRUCTIONS: See Reverse.	BARLEY (HO	RDEUM VULGARE)		
NAME OF APPLICANT(S)		:		ICIAL USE ONLY
North American Plant Breeder	State, and ZIP Code)	-	PYPO NUMBER	8000084
5201 Johnson Dr. Mission, KS 66205			VARIETY NAME OF DESIGNATION	
Place the appropriate number that describe Place a zero in first box (i.e. 089 or	s the varietal charace 0 9 ) when number	er of this variety in the er is either 99 or less or	boxes below. 9 or less.	774
1. GROWTH HABIT:				
1 = SPRING 2 = FACULTATIVE WIN  2. MATURITY (50% Flowering):	NTER 3 = WINTER	3 Early Growth:	1 = PROSTRATE : 3 = ERECT	2 = SEMIPROSTRATE
Z CANCE (California Mariout) 2 =	MIDSEASON (Betzes)	3 = LATE (Frontier)		
			3 = CONQUEST	4 = DICKSON
		PRIMUS 7 = UNITAN		
3, PLANT HEIGHT (From soil level to top of he				
1 = SEMIDWARF 2 = SHORT (Califor	nia Mariout) 3 = M	EDIUM TALL: (Betzes) 📑	4 = TALL (Conquest	1
0,2 Cm. Shorter than 3		ALIFORNIA MARIOUT PRIMUS 7 = UNITAN	3 = CONQUEST	4 = DICKSON
02 Cm. Taller than 4		· · · · · · · · · · · · · · · · · · ·	•	
4. STEM:		<del></del>	·	
Exertion (Flag to spike at maturity): $\frac{1=0}{3=1}$	-3 cm, 2 = 3 - 10 cm. 0 - 15 cm,	1 Anthocyanin:	1 = ABSENT 2	= PRESENT
0 5 NO. OF NODES (Originating from node	above ground)	•		
1 = CLOSE With Nic			1 = STRAIGHT	2 = SNAKY /c3+ab+1.
1 Collar Shape: 4 = MODIFIED CLOSED	OR OPEN	2 Shape of Neck:	3 = OTHER (Specif	2=SNAKY (slightly v)
5. LEAF:				
Basal leaf sheath (seedling): 1 = GLABROU	US 2 = PUBESCENT	2 Position of flag lea	f (at boot stage):	1 = DROOPING 2 = UPRIGHT
2	LIGHTLY WAXY	2 0 MM. WIDTH	First leaf below flag l	eaf)
2 4 CM. LENGTH (First leaf below flag leaf	F)	1 Anthocyanin in least	f sheath: 1 = ABSI	ENT 2 = PRESENT
6. HEAD:				
Type: 1 = TWO-ROWED 2 = SIX-RO	WED		LAX 2 = ERECT ERECT (Dense)	(Not dense)
Shape: 1 = TAPERING 2 = STRAP 4 = OTHER (Specify)	3 = CLAVATE		ABSENT (Glossy) WAXY	2 = SLIGHTLY WAXY
3 Lateral Kernels Overlap: 1 = NONE 3 = 1/4 1/2 0	2 = AT TIP OF HEAD	6		2 = FEW 3 = COVERED
. GLUME:				
1 = 1/3 OF LEMMA 2 = 1, 3 = MORE THAN 1/2 OF LEM	/2 OF LEMMA MMA	3 Hairs: 1 = NONE	2 = SHORT	3 = LONG
············	CTED TO MIDDLE	3 ≈ CONFINED TO BAN	D 4 = COMPLET	ELY COVERED
Awns: 1 = LESS THAN EQUAL TO LENG 3 = MORE THAN EQUAL TO LENG		2 = EQUAL TO LENGTH	OF GLUMES	•
Awn Surface: 1 = SMOOTH 2 = SEMIS	SMOOTH 3 = BOU	GU		

FORM GR-470-5 (Rever	rse)	•	Bumper NAPB	8000084
8. LEMMA:	<u> </u>		1011 0	
5 Awn: 3 = S	WNLESS 2 = AWNLETS ON CENTRAL CHORT ON CENTRAL ROWS, AWNLETS O LONG (longer than spike) 6 = HOODED	ROWS AWNLESS ON LATERA IN LATERAL ROWS 4 = SHO	AL ROWS DRT (less than equal)	to length of spike)
3 Awn Surface: (	) = AWNLESS 1 = SMOOTH 2 = SEN	MSMOOTH 3 = ROUGH		
3 Teeth: 1 = AB	SENT 2 = FEW 3 = NUMEROUS	Hair: 1 ≃ ABSEN	T 2 PRESENT	
1 2 1 Shape of base:	1 = DEPRESSION 2 = SLIGHT CREASE 3 = TRANSVERSE CREASE	2 Rachilla Hairs: 1	≈ SHORT 2 = LC	DNG
9. STIGMA:	· · · · · · · · · · · · · · · · · · ·			
2 Hairs: 1 = FE	V 2 = MANY			
10. SEED:			,	
2 Type: 1 = NA	KED 2 = COVERED	Hairs on Ventral Fu	rrow: 1 = ABSENT	2 = PRESENT
	HORT (8.0 mm.) 2 = SHORT TO MIDLO IIDLONG TO LONG (9.0 - 10.5 mm.)	ONG (7.5 - 9.0 mm.) 3 = MID 5 = LON		n.)
2 Wrinkling of hul	: 1 = NAKED 2 = SLIGHTLY WRINK	SLED 3 = SEMIWRINKLED	4 = WRINKLED	
Aleurone Color:	1 = COLORLESS (White or Yellow) 2	? = BLUE		
.0 5 PERCENT A	BORTIVE	3 9 GMS. PER 100	0 SEEDS	
11. DISEASE: (0 = No	t Tested, 1 = Susceptible, 2 = Resistant)			-
0 SEPTORIA	2 NET BLOTCH	2 SPOT BLOTCH	0 POWE	PERY MILDEW
LOOSE SMUT	0 BACTERIAL BLIGHT	0 COVERED SMUT	OFALS	SE LOOSE SMUT
2 STEM RUST	2 LEAF RUST	0 SCAB	0 sca	LD
0 AY	0 BSMV	0 BYDV	0 отн	ÉR (Specify)
12. INSECT: (0 = Not t	ested, 1 = Susceptible 2 = Resistant)			
0 GREEN BUG	0 ENGLISH GRAIN APHID	0 CHINCH BUG	0 ARM	1YWORM
0 GRASS HOPPERS	CERIAL LEAF BETTLE	OTHER (Specify)		···
HESSIAN FLY R	ACES GP A  D  E	B		
13. CHEMICAL (0 = No:	Tested, 1 = Susceptible, 2 = Resistant)	lot tosted		
DDT	OTHER (Specify)	Not tested		
14. INDICATE WHICH	ARIETY MOST CLOSELY RESEMBLES T	HAT SUBMITTED:		
CHARACTER	NAME OF VARIETY	CHARACTER	NAME C	F VARIETY
Plant tillering	Manker	Seed size	Larker	
Leaf size	Manker	Coleoptile elongation	<u> </u>	
Leaf color	Glenn	Seedling pigmentation		
Leaf carriage	Manker			
		_		

REFERENCES: The following publications may be used as a reference aid for the standardization of character descriptions and terms used in this form:

- 1. Wiebe, G. A., and D. A. Reid, 1961, Classification of Barley Varieties Grown in the United States and Canada in 1958, Technical Bulletin No. 1224, U.S. Dept. of Agriculture.
- 2. Reid, D. A., and G. A. Wiebe, 1968, Barley: Origin, Botany, Culture, Winter Hardiness, Genetics, Utilization, Pests, Agriculture Handbook No. 338, U.S. Dept. of Agriculture. pp. 61-84.
- 3. Malting Barley Improvement Association, Milwaukee, Wisconsin, 1971, Barley Variety Dictionary.

COLOR: Nickerson's or any recognized color fan may be used to determine color of the described variety.

#### Exhibit D

# BOTANICAL DESCRIPTION OF BUMPER

Bumper is a mid-tall six-rowed spring barley. It is midseason in maturity (similar to Bonanza and Klondike). It has an erect growth habit. The following are botanical characteristics of Bumper:

Stem: Mid-long, about 86 cm, moderately strong

Spike: Six-rowed, medium-long and semi-erect

Spikelets:

glumes more than 1/2 the length of the lemma, completely covered with

lemma awns - rough and long

kernels that are colorless, long haired rachilla, lemma awn longer than spike, rough surface with numerous teeth and hair absence, base of lemma has a transverse crease.

Leaf Characteristics (1st leaf below flag leaf): 24 cm long and 20 mm wide.

Collar: closed with nick

## TRANSFER OF OWNERSHIP

## A PROTECTED BARLEY VARIETY

"BUMPER"

Plant Variety Protection Application Number 8000084

In consideration of Busch Agricultural Resources, Inc., One Busch Place, St. Louis, Missouri, entering into a contractual agreement dated October 27, 1982, with North American Plant Breeders Inc., Mission, Kansas, North American Plant Breeders Inc. does hereby convey to Busch Agricultural Resources, Inc., free from all encumbrances, ownership of "Bumper" protected barley variety, Barley Application Number 8000084, filing date of May 3, 1980.

Witness

NORTH AMERICAN PLANT BREEDERS INC.

Sane S. Corbella

Alma M. Oreane

BY:

Giles E. Dison, Vice President Research & Development

Sworn and subscribed to before me this  $\underline{Q}$  day of August 1983.

My Commission Expires December 1, 1984

Mary Margaret Bell I

MARY MARGARET BELL
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires 18/1/94